

# PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1. B02.3.C.1. To permit a rear yard set back of 33 feet instead of required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. It would be impossible to locate porch anywhere else on property without a Variance.
2. Would like area to sit out and not be bothered with rain, bugs, etc.
3. Insulate the back of my home to keep it warmer in winter.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Attorney for Petitioner: \_\_\_\_\_  
(Type or Print Name)  
Signature \_\_\_\_\_  
Address \_\_\_\_\_  
City and State \_\_\_\_\_  
Name, address and phone number of legal owner, contractor purchaser or representative to be contacted \_\_\_\_\_  
Enclosure: \_\_\_\_\_  
Name \_\_\_\_\_  
P.O. Box 550 \_\_\_\_\_ 760-1919  
Glen Burnie, Maryland 21061  
Phone No. \_\_\_\_\_  
ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of December, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 5th day of February, 1985, at 9:30 o'clock A.M.

Zoning Commissioner of Baltimore County.

## BALTIMORE COUNTY

## ZONING PLANS

## ADVISORY COMMITTEE



## PETITION AND SITE PLAN

## EVALUATION COMMENTS

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 28, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

Nicholas B. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Mr. & Mrs. Oscar Labrador  
552 47th Street  
Baltimore, Maryland 21224

RE: Item NO. 165 - Case NO. 85-214-A  
Oscar F. Labrador, et ux  
Variance Petition

Dear Mr. & Mrs. Labrador:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari  
NICHOLAS B. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:bbs

Enclosures

cc: Patio Enclosures, Inc.  
P.O. Box 550  
Glen Burnie, Maryland 21061



BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 25, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #165 (1984-1985)  
Property Owner: Oscar F. Labrador, et ux  
W/S 47th Street 500' S. Cross St.  
Acres: 25 x 93  
District: 12th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

### General:

Baltimore County highway and utility improvements exist and are not directly involved.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Very truly yours,

James A. Marble, P.E., Chief  
Bureau of Public Services

JAM:EAM:FWR:ss



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GENDER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 12/11/84  
Item # 165  
Property Owner: OSCAR F. LABRADOR, ET UX  
Location: W/S 47th St. 500' S. of Cross Street

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; the fore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on \_\_\_\_\_.
- ☒ Landscaping should be provided on this site and shown on the plan.
- ☒ The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is \_\_\_\_\_.
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: \_\_\_\_\_

Eugene A. Rober  
Eugene A. Rober  
Chief, Current Planning and Development



BALTIMORE COUNTY  
DEPARTMENT OF TRAFFIC ENGINEERING  
TOWSON, MARYLAND 21204  
494-3550

STEPHEN E. COLLINS  
DIRECTOR

January 21, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

ZAC- Meeting of December 18, 1984

Item No. 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, & 167  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 157, 158, 159, 160, 161, 162, 163, 164, 165, 166 & 167.

Michael S. Flanagan  
Michael S. Flanagan  
Traffic Engineering Assoc. III

MSF/cam

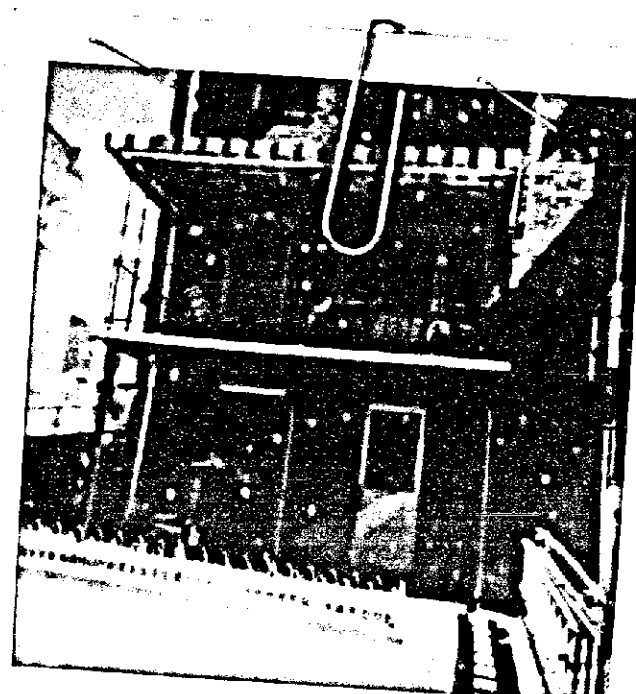
## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 18th day of December, 1984.

ARNOLD JABLON  
Zoning Commissioner

Petitioner Oscar F. Labrador, et ux  
Petitioner's Attorney \_\_\_\_\_  
Received by \_\_\_\_\_  
Nicholas B. Commodari  
Chairman, Zoning Plans  
Advisory Committee



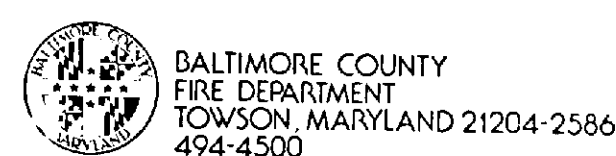
Petition



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should about be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of February, 1985, that the herein Petition for Variance(s) to permit a rear yard setback of 33 feet instead of the required 50 feet for the expressed purpose of constructing an enclosed porch with an enclosed storage area beneath, in accordance with the site plan filed herein, marked Petitioners' Exhibit 2, is hereby GRANTED, from and after the date of this Order.

*Jean M.H. Jung*  
Deputy Zoning Commissioner  
of  
Baltimore County



PAUL H. RENCKE  
CHIEF

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

December 18, 1984

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Oscar F. Labrador, et ux

Location: W/S 47th Street 500' S. Cross Street

Item No.: 165 Zoning Agenda: Meeting of 12/18/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of        feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at       

       EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *George M. H. Gerber* Noted and Approved: *George M. H. Gerber*  
Planning/Code Fire Prevention Bureau  
Special Inspection Division

/mb



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

February 6, 1985

Mr. and Mrs. Oscar F. Labrador  
552 47th Street  
Baltimore, Maryland 21224

RE: Petition for Variance  
W/S 47th St., 500' S of  
Cross St. (552 47th St.)  
Oscar F. Labrador, et ux - Petitioners  
12th Election District  
Case No. 85-214-A (Item No. 165)

Dear Mr. and Mrs. Labrador:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

*Jean M.H. Jung*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ:ech

Attachment

cc: Patio Enclosures, Inc.  
P.O. Box 550  
Glen Burnie, Maryland 21061

### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner  
Norman E. Gerber, Director  
FROM: Office of Planning and Zoning

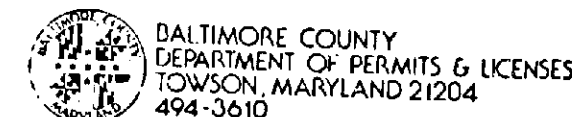
Date: January 17, 1985

SUBJECT: Zoning Petitions No. 85-210-A,  
85-212-A,  
85-214-A,  
85-215-A,  
85-216-A,  
85-217-X &  
85-218-X

There are no comprehensive planning factors requiring comment on this petition.

*Norman E. Gerber*  
Norman E. Gerber, Director

NEG:JGH:bjs



ED ZALESKI JR.  
DIRECTOR  
Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

December 28, 1984

Dear Mr. Jablon:

Comments on Item #165 Zoning Advisory Committee Meeting are as follows:

Property Owner: Oscar F. Labrador, et ux  
Location: W/S 47th Street 500' S. Cross Street  
Existing Zoning: D.R. 10.5  
Proposed Zoning: Variance to permit a rear yard setback of 33' in lieu of the required 50'.

Acres: 25 x 93  
District: 12th.

The items checked below are applicable:

(X) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

(X) A building/ & other        permit shall be required before beginning construction.

( ) Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal 14/16 not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

( ) Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

(X) An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.

( ) Requested variance appears to conflict with the Baltimore County Building Code, Section 5.

( ) A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

( ) Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(X) Comments - The south wall of the porch shall be a one hour fire rated wall without any openings.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burnham*  
Charles E. Burnham, Chief  
Plans Review

CEB:es

December 27, 1984

Mr. and Mrs. Oscar F. Labrador  
552 47th Street  
Baltimore, MD 21224

#### NOTICE OF HEARING

RE: Petition for Variance  
W/S of 47th St., 500' S of  
Cross St. (552 47th St.)  
Oscar F. Labrador, et ux - Petitioners  
Case No. 85-214-A

TIME: 9:30 a.m.

DATE: Tuesday, February 5, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Patio Enclosures, Inc.  
P. O. Box 550  
Glen Burnie, MD 21061

*Charles E. Burnham*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 003100  
DATE: 12/6/84 ACCOUNT: 01-615-000  
AMOUNT: \$ 35.00  
RECEIVED FROM: *Patio Enclosures*  
FOR: *F. L. Per Sec Variance #165*  
VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER  
W/S of 47th St., 500' :  
S of Cross St. (552 47th : OF BALTIMORE COUNTY  
St.), 12th District :  
OSCAR F. LABRADOR, et ux, : Case No. 85-214-A  
Petitioners :  
: : : : :  
ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2168

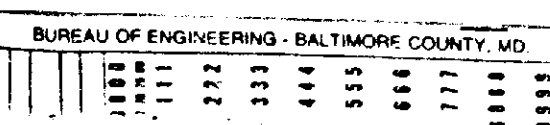
I HEREBY CERTIFY that on this 11th day of January, 1985, a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. Oscar F. Labrador, 552 47th St., Baltimore, MD 21224, Petitioner; and Patio Enclosures, Inc., P. O. Box 550, Glen Burnie, MD 21061, which requested notification.

*Peter Max Zimmerman*  
Peter Max Zimmerman

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

85-214-A  
10:29 A.M.

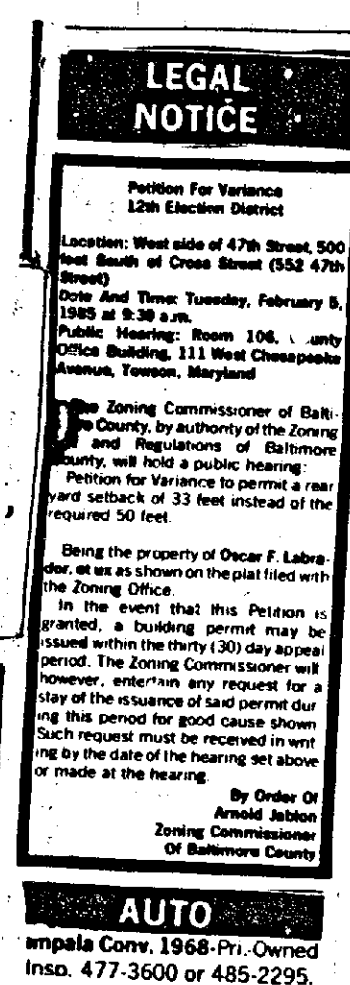
District: 12th Date of Posting: 1/14/85  
Posted for: *Variance to permit rear yard setback*  
Petitioner: *Oscar F. Labrador, et ux*  
Location of property: *W/S 47th St., 500' S of Cross St.*  
*552 47th St. 12th*  
Location of Signs: *Facing 47th St., Approx. 10' E. of Roadway on Property*  
*at Petitioner*  
Remarks:  
Posted by: *M. H. Jung* Date of return: 1/18/85  
Number of Signs: 1



MAY 10 1985

Dundalk, MD., 1/18, 1985  
THIS IS TO CERTIFY, that the annexed advertisement  
published in THE BALTIMORE COUNTY JOURNAL, a  
newspaper, published in Dundalk, Baltimore County,  
and, appearing on 1/17, 1985

The Baltimore County Journal,  
A. Sever  
Publisher



61969

TOWSON, MD., January 17 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 17 1985.

THE JEFFERSONIAN,

Publisher

85-214-A

### Cost of Advertising

\$ 18.40



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

January 29, 1985

Mr. and Mrs. Oscar F. Labrador  
552 47th Street  
Baltimore, Maryland 21224

RE: Petition for Variance  
W/S of 47th Street, 500' S of  
Cross St. (552 47th Street)  
Oscar F. Labrador, et ux - Petitioners  
Case No. 85-214-A

Dear Mr. and Mrs. Labrador:

This is to advise you that \$41.00 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and  
Room 113, County Office Building,

No. 004942

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 2-4-85 ACCOUNT 01-615-000

RECEIVED FROM: Oscar Labadie AMOUNT \$ 41

FOR: Porter, A. J. 85-214-5  
B B72 \*\*\*\*\*410CA3 5042E

VALIDATION OR SIGNATURE OF CASUALTY

PETITION FOR VARIANCE  
12th Election District

LOCATION: West side of 47th Street, 500 feet South of Cross Street (552 47th Street)

DATE AND TIME: Tuesday, February 5, 1985 at 9:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

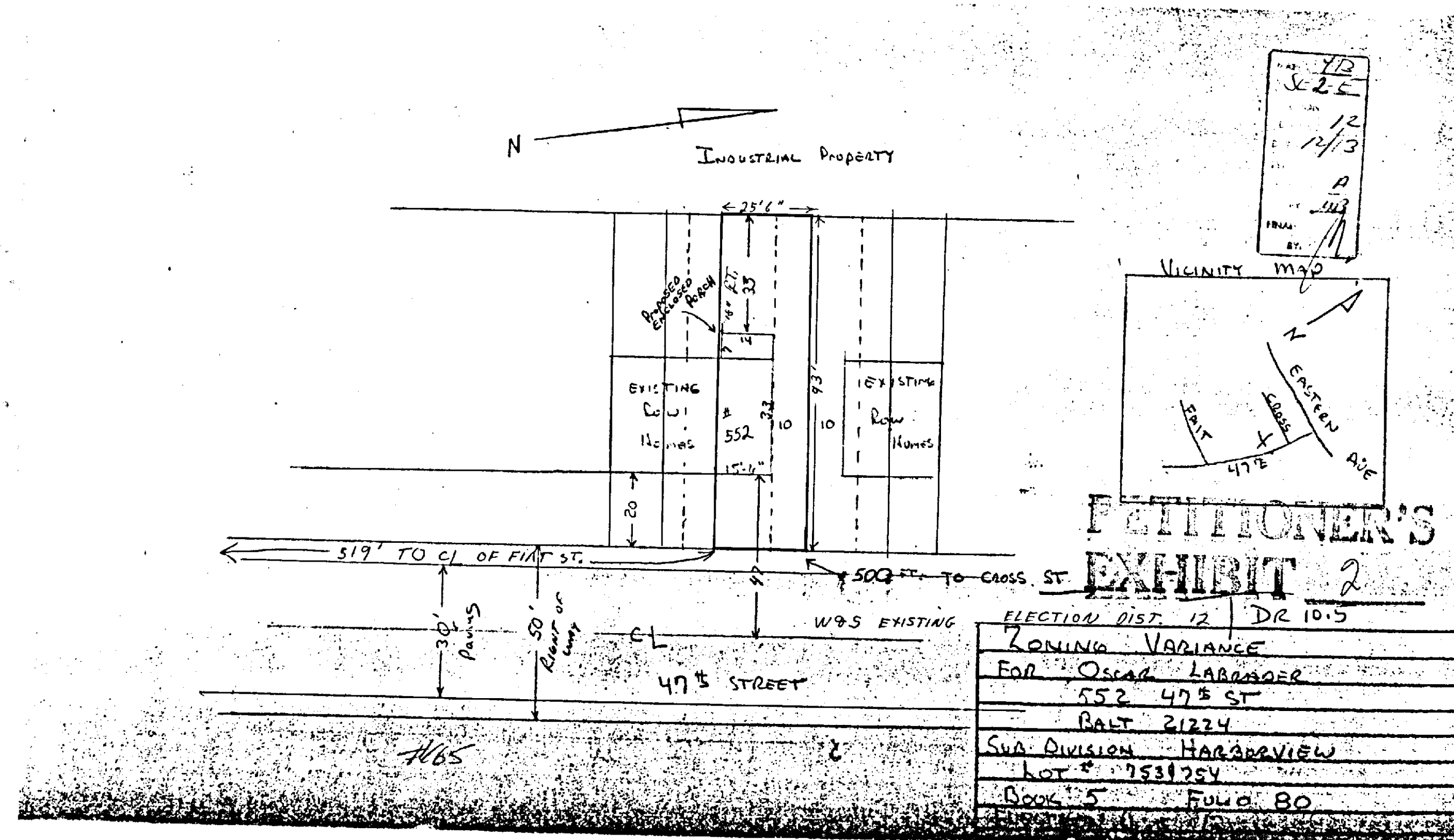
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a rear yard setback of 33 feet instead of the required 50 feet.

Being the property of Oscar F. Labrador, et ux  
the plat filed with the Zoning Office. \_\_\_\_\_ as shown on

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.